

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
)
v.)
)
RONALD CHARLES,)
Defendant.)

2005 JUN 21 P 4:59
Criminal Nos. 05-30008-MAP
U.S. DISTRICT COURT
DISTRICT OF MASS.

MEMORANDUM PURSUANT TO LOCAL RULE 116.5

The United States of America, by and through its undersigned attorneys hereby files this memorandum. The government faxed a draft to Bernard T. O'Connor, Jr., Esq., counsel for defendant Charles, on June 21, 2005.

1. The defendant filed a discovery letter on May 4, 2005 to which the government responded on May 9, 2005. The government provided some of the information requested and declined to provide other information. The government is unaware of any subsequent discovery motions being filed by the defendant. There are no other outstanding discovery issues not yet presented or resolved by the Court.

2. The defendant requested discovery of expert witnesses under Fed. R. Crim. Pro. 16(a)(1)(E) in his May 4, 2005 letter and the government provided the information to the defendant in its May 9, 2005.

3. The parties do not anticipate providing additional discovery as the result of future receipt of information.

4. The defendant does not intend to raise a defense of insanity or public authority.

5. The government has requested notice of alibi by the defendant and there has been no response by the defendant.

6. The defendant has not filed but does intend to file, a motion to dismiss, or suppress, requiring a ruling by the District Court before trial pursuant to Fed. R. Crim. Pro. 12(c).

7. It is not necessary to schedule any matter in the case other than a Pretrial Conference.

8. The parties are not currently engaging in plea negotiations.

9. The parties agree that there are periods of excludable delay. The parties agree that the time frame from arraignment, March 18, 2005 through April 1, 2005 is excludable under Local Rule 112.2(A)(1). At the May 6, 2005 Status Conference the defendant waived the time until the Final Status Conference on June 23, 2005 from the speedy trial time period. The defendant filed a discovery letter on May 4, 2005 so the period between then and May 18, 2005 is excludable pursuant to L.R. 112.2(A)(3).

Therefore, as of the day of the Status Conference on May 6, 2005, 34 days have run and 36 days remain on the Speedy Trial clock which will require that, if necessary, a trial commence on or before July 29, 2005.

10. In the event that a trial is necessary the trial will

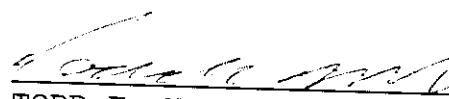
last approximately 5 days.

11. A date convenient with the Court should be established for the Pretrial Conference.

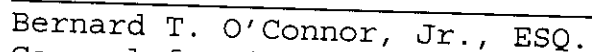
Filed this 21st day of June, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney


TODD E. NEWHOUSE
Assistant United States Attorney

On behalf of defendant Charles:

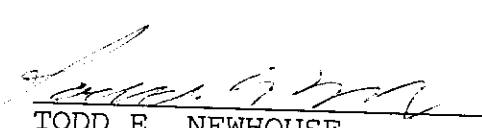

Bernard T. O'Connor, Jr., ESQ.
Counsel for defendant Charles

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
June 21, 2005

I, Todd E. Newhouse, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing, via mail to all counsel of record.


TODD E. NEWHOUSE
Assistant U.S. Attorney